

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

WILBER ADAMS, JR.]	
Plaintiff,]	
]	
v.]	No. 3:11-0910
]	JUDGE HAYNES
CRIMINAL JUSTICE CENTER]	
Defendant.]	

M E M O R A N D U M

Plaintiff, Wilber Adams, Jr., a pre-trial detainee at the Davidson County Criminal Justice Center in Nashville, filed this *pro se* action under 42 U.S.C. § 1983 against the Criminal Justice Center. Plaintiff seeks injunctive relief and damages arising from a September 1, 2011, strip search of him by a "cadet" at the Criminal Justice Center. Plaintiff alleges that this search violated his constitutional rights.

To state a claim for § 1983 relief, the Plaintiff must plead and prove that a person or persons, while acting under color of state law, deprived him of some right guaranteed by the Constitution or laws of the United States. Parratt v. Taylor, 451 U.S. 527, 535 (1981).

A county jail or workhouse is not a person that can be sued under 42 U.S.C. § 1983. Rhodes v. McDannel, 945 F.2d 117, 120 (6th Cir. 1991); *see also* Petty v. County of Franklin, Ohio, 478 F.3d

341, 347 (6th Cir. 2007) (a county sheriff's department is also not a "person" subject to liability under § 1983).

As applying the rule of a liberal construction for a *pro se* pleading, Davidson County the entity responsible for the operation of the Criminal Justice Center can be sued in a Section 1983 action, but the Plaintiff must allege some facts suggestive of a "policy statement, ordinance, regulation or decision officially adopted and promulgated" by the county. Monell v. Department of Social Services, 436 U.S. 658, 689-690 (1978). Plaintiff does not allege any facts beyond an isolated incident. Thus, the Court concludes that Plaintiff has failed to state a claim upon which relief can be granted. Under such circumstances, the Court must dismiss the complaint *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order is filed herewith.



WILLIAM J. HAYNES, JR.
United States District Judge